



Attorney Docket No.: 02-028940US
Client Reference No.: 0124.005

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Methods for Making Character Strings, Polynucleotides and Polypeptides Having Desired Characteristics** the specification of which is attached hereto or X was filed on as Application No. , and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/116,447	January 19, 1999
60/118,854	February 5, 1999
60/118,813	February 5, 1999
60/141,049	June 24, 1999

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
09/408,392	September 28, 1999	Pending
09/408,393	September 28, 1999	Pending
09/416,375	October 12, 1999	Pending
09/416,837	October 12, 1999	Pending
09/484,850	January 18, 2000	Pending
09/494,282	January 18, 2000	Pending
PCT/US00/01202	January 18, 2000	Pending
PCT/US00/01203	January 18, 2000	Pending
PCT/US00/01138	January 18, 2000	Pending

Full Name of Inventor 1	Full Name Sergey A. Selifonov		
Residence & Citizenship:	City Los Altos	State/Foreign Country California	Country of Citizenship Russia
Post Office Address:	Post Office Address 2240 Homestead Court, Los Altos, California 94024		
Full Name of Inventor 2	Full Name Willem P.C. Stemmer		
Residence & Citizenship:	City Los Gatos	State/Foreign Country California	Country of Citizenship Netherlands
Post Office Address:	Post Office Address 108 Kathy Court, Los Gatos, California 95030 USA		
Full Name of Inventor 3:	Full Name Claes Gustafsson		
Residence & Citizenship:	City Belmont	State/Foreign Country California	Country of Citizenship Sweden
Post Office Address:	Post Office Address 1813 Bayview Avenue, Belmont, California 94002, USA		
Full Name of Inventor 4	Full Name Matthew Tobin		
Residence & Citizenship:	City San Jose,	State/Foreign Country California	Country of Citizenship The United States
Post Office Address:	Post Office Address 5662 Sunflower Lane, San Jose, California, 95118, USA		
Full Name of Inventor 5	Full Name Stephen del Cardayre		
Residence & Citizenship:	City Belmont	State/Foreign Country California	Country of Citizenship The United States
Post Office Address:	Post Office Address 2049 Monroe Avenue, Belmont, California 94002, USA		
Full Name of Inventor 6	Full Name Phillip A. Patten		
Residence & Citizenship:	City Menlo Park	State/Foreign Country California	Country of Citizenship The United States
Post Office Address:	Post Office Address 261 La Cuesta Drive, California 94028 USA		
Full Name of Inventor 7	Full Name Jeremy Minshull		
Residence & Citizenship:	City Menlo Park		
Post Office Address:	Post Office Address 842 Hermosa Way, Menlo Park, California 94025, USA		
Full Name of Inventor 8	Full Name Lorraine J. Giver		
Residence & Citizenship:	City Sunnyvale	State/Foreign Country California	Country of Citizenship United States
Post Office Address:	Post Office Address 1137 Reed Avenue, Apt. B, Sunnyvale, California USA		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1



Sergey A. Selifonov

Date 06-05-2000

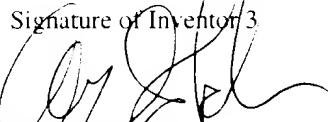
Signature of Inventor 2



Willem P.C. Stemmer

Date 6-14-2000

Signature of Inventor 3



Claes Gustafsson

Date 6-16-00

Signature of Inventor 4



Matthew Tobin

Date 6-15-2000

Signature of Inventor 5



Stephen del Cardayre

Date 6/15/00

Signature of Inventor 6



Phillip A. Patten

Date 6/26/00

Signature of Inventor 7



Jeremy Minshull

Date 15 June 2000

Signature of Inventor 8



Lorraine J. Giver

Date -

NOT FOR PUBLISHING



Attorney Docket No.: 02-028940US
Client Reference No.: 0124.005

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Sergey A. Selifonov, of 2240 Homestead Court, Apt. 214, Los Altos, California, USA, Willem P.C. Stemmer of 108 Kathy Court, Los Gatos, California 95030 USA, Claes Gustafsson of 1813 Bayview Avenue, Belmont, California 94002, USA, Matthew Tobin, 5662 Sunflower Lane, San Jose, California, 95118, USA, Stephen del Cardayre of 2049 Monroe Avenue, Belmont, California 94002, USA, Phillip A. Patten of 261 La Cuesta Drive, Menlo Park, California 94028, Jeremy Minshull of 842 Hermosa Way, Menlo Park, California 94025, USA, and Lorraine J. Giver of 1137 Reed Avenue, Apt. B, Sunnyvale, California, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: Methods for Making Character Strings, Polynucleotides and Polypeptides Having Desired Characteristics

Date(s) of execution of Declaration: _____

Filing Date: March 30, 2000

Application No.: 09/539,486; and

WHEREAS, Maxygen, Inc., a Delaware corporation, located at 515 Galveston Drive Redwood City, CA 94063 USA, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment - Ov 23 C 1
Application No.: 09/539,486
Page 3

IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated: 13-05-2001

Sergey A. Selifonov

Sergey A. Selifonov

SIGNATURE WITNESSED BY:

(1) Date: 6/5/00

Diane Lee

Signature of Witness 1

(2) Date: _____

Signature of Witness 2

Dated: 6-14-00

Willem P.C. Stemmer

Willem P.C. Stemmer

SIGNATURE WITNESSED BY:

(1) Date: 6/14/00

Diane Lee

Signature of Witness 1

(2) Date: _____

Signature of Witness 2

Dated: 6/16/00

Claes Gustafsson

Claes Gustafsson

SIGNATURE WITNESSED BY:

(1) Date: 6/16/00

Diane Lee

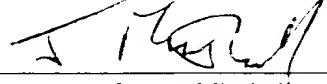
Signature of Witness 1

(2) Date: _____

Signature of Witness 2

Assignment 5124
Application No.: 09/539,480
Page 4

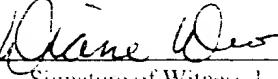
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Jeremy Minshull

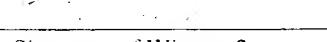
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(1) Date 6/15/00



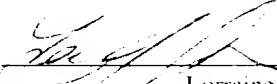
Signature of Witness 1

(2) Date _____



Signature of Witness 2

Dated: 6/6/00



Lorraine J. Giver

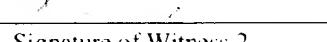
SIGNATURE WITNESSED BY:

(1) Date 6/6/00



Signature of Witness 1

(2) Date _____



Signature of Witness 2

Assignment #24,005
Application No.: 09/539,486
Page 3

Dated: 6/15/00

Matthew Tobin
Matthew Tobin

SIGNATURE WITNESSED BY:

(1) Date: 6/15/00

Deane Goss
Signature of Witness 1

(2) Date: 6/15/00

Stephen del Cardayre
Signature of Witness 2

Dated: 6/15/00

Stephen del Cardayre
Stephen del Cardayre

SIGNATURE WITNESSED BY:

(1) Date: 6/15/00

Deane Goss
Signature of Witness 1

(2) Date: 6/15/00

Stephen del Cardayre
Signature of Witness 2

Dated: 6/20/00

Philip A. Patten
Philip A. Patten

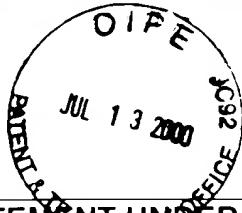
SIGNATURE WITNESSED BY:

(1) Date: 6/20/00

Deane Goss
Signature of Witness 1

(2) Date: 6/20/00

Stephen del Cardayre
Signature of Witness 2



Approved for use through 09/30/2006 OMB 0651-0031

STATEMENT UNDER 37 CFR 3.73(b)

Applicant: **Maxygen, Inc.**

Application No.: **09/539,486**

Filed: **March 30, 2000**

Entitled: **Methods for Making Character Strings, Polynucleotides and Polypeptides Having Desired Characteristics**

Maxygen, Inc.

, a

Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. [X] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel ___, Frame ___, or for which a copy thereof is attached.

OR

B. [] A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet

[X] Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

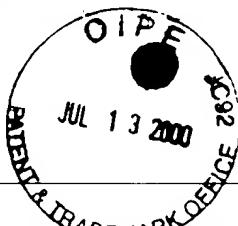
7/26/00
Date

Signature

Michael S. Rabson

Typed or printed name
**Senior Vice President
General Counsel**

Title



(Modified) PTO-SB 81 (11-96)
Approved for use through 6-30-99. OMB 0651-0035
0124.005

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT, NOT
ACCOMPANYING APPLICATION**

Application Number	09/539,486
Filing Date	March 30, 2000
First Named Inventor	Sergey A. Selifonov
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	02-028940US

I hereby appoint:

Practitioners at Customer Number

22798

Type Customer Number Here

AND

Practitioner(s) named below:

Name	Registration Number
Norman J. Kruse	35,235
Sharon Fujita	38,459
Joanne Petithory	42,995
Margaret Powers	39,804



as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		

I am the

Applicant.

Assignee of record of the entire interest (Certificate under 37 CFR 3.73(b) is enclosed)

SIGNATURE of Applicant or Assignee of Record

Name	<i>Michael Allison</i>
Signature	<i>Michael Allison</i>
Date	6/26/00

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 7/7/00

Typed or printed name	<i>Alexandra Allison</i>	Date	
Signature	<i>Alexandra Allison</i>	Date	<u>7/7/00</u>